

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 290

HOUSE BILL 2284

AN ACT

AMENDING SECTION 15-301, ARIZONA REVISED STATUTES; AMENDING SECTION 15-302, ARIZONA REVISED STATUTES; AMENDING SECTION 15-502, ARIZONA REVISED STATUTES; RELATING TO THE COUNTY SCHOOL SUPERINTENDENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-301, Arizona Revised Statutes, is amended to
3 read:

4 15-301. Office of county school superintendent; qualifications;
5 travel expenses

6 A. A person is eligible to FOR election as county school
7 superintendent who IF THE PERSON holds a regular BASIC OR STANDARD
8 certificate to teach in the schools of this state.

9 B. In addition to the salary allowed by law, the county school
10 superintendent is eligible to ~~receive mileage and~~ FOR REIMBURSEMENT OF travel
11 expenses.

12 C. THE OFFICE OF COUNTY SCHOOL SUPERINTENDENT IS DESIGNATED AS A LOCAL
13 EDUCATION SERVICE AGENCY FOR THE PURPOSE OF SERVING AS AN EDUCATION SERVICE
14 AGENCY THAT IS ELIGIBLE TO RECEIVE AND SPEND LOCAL, STATE AND FEDERAL MONIES
15 TO PROVIDE PROGRAMS AND SERVICES TO SCHOOL DISTRICTS AND CHARTER SCHOOLS
16 WITHIN THAT COUNTY.

17 D. THE OFFICE OF COUNTY SCHOOL SUPERINTENDENT SHALL BE UNDER THE
18 JURISDICTION OF THE ELECTED COUNTY SCHOOL SUPERINTENDENT.

19 Sec. 2. Section 15-302, Arizona Revised Statutes, is amended to read:

20 15-302. Powers and duties

21 A. The county school superintendent shall:

22 1. Distribute all laws, reports, circulars, instructions and forms
23 which he may receive for the use of school officers.

24 2. Record all official acts.

25 3. Appoint governing board members of school districts to fill all
26 vacancies, but the term of the appointment shall be until the next regular
27 election for governing board members, at which time a successor shall be
28 elected to serve the unexpired portion of the term. The county school
29 superintendent may, if he deems it in the best interest of the community,
30 call a special election to fill the vacancies. If an election is called, the
31 newly elected member shall serve for the remainder of the unexpired portion
32 of the term.

33 4. Make reports, when directed by the superintendent of public
34 instruction, showing matters relating to schools in his county as may be
35 required on the forms furnished by the superintendent of public instruction.

36 5. Have such powers and perform such duties as otherwise prescribed
37 by law.

38 6. On or before October 1 OF each year, make a report to the
39 superintendent of public instruction showing the amount of monies received
40 from state school funds, special school district taxes and other sources, the
41 total expenditures for school purposes and the balance on hand to the credit
42 of each school district at the close of the school year.

43 7. Contract with the board of supervisors for the board of supervisors
44 to conduct all regular school district elections.

1 8. Be responsible, in cooperation with the governing boards and the
2 board of supervisors, for all special school district elections.

3 9. Maintain teacher and administrator certification records of
4 effective dates and expiration dates of teachers' and administrators'
5 certificates in compliance with guidelines prescribed in the uniform system
6 of financial records for those school districts for which the county school
7 superintendent is the fiscal agent. The county school superintendent shall
8 not draw a warrant in payment of a teacher's, substitute teacher's or
9 administrator's salary unless the teacher, substitute teacher or
10 administrator is legally certified during the fiscal year in which the term
11 for payment is demanded.

12 10. IN COLLABORATION WITH THE DEPARTMENT OF EDUCATION AND OTHER STATE
13 AGENCIES, PROVIDE ASSISTANCE TO SCHOOL DISTRICTS AND CHARTER SCHOOLS ON THE
14 USE OF STUDENT DATA, STAFF DEVELOPMENT, CURRICULUM ALIGNMENT AND TECHNOLOGY
15 TO IMPROVE STUDENT PERFORMANCE.

16 11. ASSIST SCHOOLS IN MEETING YEARLY ADEQUATE PROGRESS GOALS AS DEFINED
17 BY CRITERIA ESTABLISHED BY THE STATE BOARD OF EDUCATION AND IMPLEMENTED BY
18 THE DEPARTMENT OF EDUCATION.

19 B. AT THE REQUEST OF SCHOOL DISTRICTS AND CHARTER SCHOOLS, THE COUNTY
20 SCHOOL SUPERINTENDENT MAY PROVIDE DISCRETIONARY PROGRAMS IN ADDITION TO THE
21 PROGRAMS PRESCRIBED IN SUBSECTION A.

22 C. THE COUNTY SCHOOL SUPERINTENDENT MAY PROVIDE THE SERVICES
23 PRESCRIBED IN SUBSECTIONS A AND B IN THE COUNTY OR JOINTLY WITH TWO OR MORE
24 COUNTIES PURSUANT TO TITLE 11, CHAPTER 7, ARTICLE 3.

25 D. EACH COUNTY SCHOOL SUPERINTENDENT MAY ESTABLISH AN ADVISORY
26 COMMITTEE TO THE OFFICE OF THE COUNTY SCHOOL SUPERINTENDENT.

27 Sec. 3. Section 15-502, Arizona Revised Statutes, is amended to read:

28 15-502. Employment of school district personnel; payment of
29 wages of discharged employee

30 A. The governing board may at any time employ and fix the salaries and
31 benefits of employees necessary for the succeeding year. The contracts of
32 all certificated employees shall be in writing, and all employees shall be
33 employed subject to the provisions of section 38-481. The governing board
34 may obtain the services of any employee, including teachers, substitute
35 teachers and administrators, by contracting with a private entity that
36 employs personnel required by the school district.

37 B. A teacher shall not be employed if the teacher has not received a
38 certificate for teaching granted by the proper authorities. If a teacher has
39 filed an application and completed all of the requirements for a certificate
40 but time does not allow a teacher to receive a certificate before the
41 commencement of employment, the conditional certificate shall serve as a
42 certificate for the payment of wages, provided that the teacher files the
43 conditional certificate with the county school superintendent and the
44 certificate is issued within three months of the date of commencing
45 employment. In order to be paid wages beyond the three month period

1 prescribed in this subsection, the teacher shall file the certificate with
2 the county school superintendent. Any contract issued to a teacher who has
3 completed certificate requirements but has not received a certificate shall
4 be specifically contingent upon receipt of such a certificate. The governing
5 board of a school district that is subject to section 15-914.01 shall adhere
6 to the duties described in section 15-302, SUBSECTION A, paragraph 9 for
7 purposes of this subsection.

8 C. No dependent, as defined in section 43-1001, of a governing board
9 member may be employed in the school district in which the person to whom
10 such dependent is so related is a governing board member, except by consent
11 of the board.

12 D. The governing board may employ certificated teachers under contract
13 as part-time classroom teachers. Notwithstanding any other statute, a
14 certificated teacher who has been employed by the school district for more
15 than the major portion of three consecutive school years does not lose the
16 entitlement to the procedures prescribed in sections 15-538.01, 15-539
17 through 15-544 and 15-547 if the teacher is employed under contract on a
18 part-time basis for at least forty per cent time. As used in this
19 subsection, "forty per cent time" means employed for at least forty per cent
20 of the school day required of full-time teachers of the same grade level or
21 for at least forty per cent of the class load assigned to full-time teachers
22 of the same grade level, as determined by the governing board.

23 E. Notwithstanding sections 23-351 and 23-353, if an employee is
24 discharged from the service of a school district, the school district shall
25 pay the wages due to the employee within ten calendar days from the date of
26 discharge.

27 F. Each school district shall establish policies and procedures to
28 provide teachers with personal liability insurance.

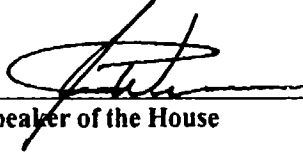
APPROVED BY THE GOVERNOR MAY 22, 2002.


FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 23, 2002.

Passed the House April 8, 2002,

by the following vote: 43 Ayes,

7 Nays, 10 Not Voting

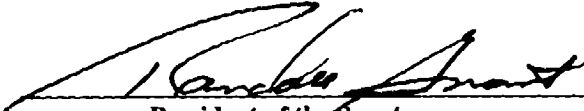

Speaker of the House

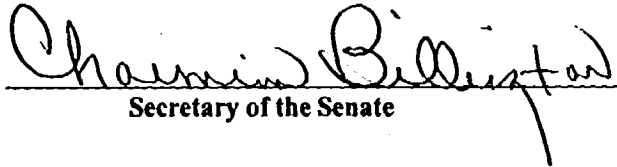

Chief Clerk of the House

Passed the Senate April 30, 2002,

by the following vote: 26 Ayes,

0 Nays, 4 Not Voting


President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20____,

at _____ o'clock _____ M.

Governor of Arizona

H.B. 2284

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

Secretary of State

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

May 16, 2002,

by the following vote: 43 Ayes,

13 Nays, 4 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

16 day of May, 2002

at 3:00 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 22nd day of

May, 2002,

at 4:42 o'clock P. M.

[Signature]
Governor of Arizona

H.B. 2284

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 23 day of May, 2002

at 3:23 o'clock P. M.

[Signature]
Secretary of State